



Minutes

**BUILDING AND STANDARDS COMMISSION
REGULAR MEETING
MONDAY, JUNE 27TH, 2011 AT 6PM
COUNCIL CHAMBERS, BRYAN MUNICIPAL BUILDING
300 S. TEXAS AVENUE**

On the 27th day of June, 2011, the Building and Standards Commission of the City of Bryan, Texas convened in Council Chambers of the Bryan Municipal Building at 6:00pm.

BSC Members Present:

Jerry Ponzio
Jerry Russum
Dan Buchly
Victor Drozd
Daryl Massey

Staff Members and Others:

Greg Cox, Chief Building Official
Martin Zimmermann, Planning Administrator
Jonathan Koury, Assistant City Attorney
Fred Taylor, Deputy Fire Marshall
Sharon Hauke, Code Enforcement Officer
Charmaine McKinzie, Dev. Serv. Representative

Disclaimer: *The meeting minutes herein are a summarization of meeting procedures, not a verbatim transcription.*

1. CALL TO ORDER.

Chairman Ponzio called the meeting to order at 6:10pm.

2. RECOGNITION OF AFFIDAVITS FILED IN RESPONSE TO STATE LAW ON DISCLOSURE OF LOCAL OFFICIAL'S CONFLICT OF INTEREST.

No affidavits were filed.

3. APPROVAL OF MINUTES FROM THE REGULAR AND WORKSHOP MEETING ON MARCH 28, 2011, AND THE WORKSHOP MEETING ON APRIL 25

Commissioner Drozd moved to approve the minutes. Commissioner Buchly seconded the motion.

Chairperson Ponzio asked if there was any discussion. There was none.

The motion passed with a unanimous vote.

4. OPENING STATEMENT FROM THE CHAIR

Chairperson Ponzio read the opening statement.

5. SWEARING IN OF ALL PRESENT AND INTENDING TO TESTIFY

Chairman Ponzio swore in everyone in the audience that was planning on speaking concerning any of the properties on this meeting agenda.

6. REQUESTS TO DECLARE THE FOLLOWING BUILDINGS UNSAFE AND TO ORDER THE SAME BE VACATED, REPAIRED, SECURED OR DEMOLISHED – A PUBLIC HEARING WILL BE HELD FOR EACH ITEM (Commission makes final determination; appeals may be directed to district court).

- a. Case # 1704– 4301 Malvern Street**
Owner: Virginia Morales
Margaret Wallace, Lot 1 & 2 (pt of), Block 10

Mr. Martin Zimmermann, Planning Administrator, stated that the City's Chief Building Official has requested this Commission hearing to discuss this building, and all legal notices of the hearing were provided to owners, lien holders, and mortgagees. They were also notified that if they wanted to repair the building they needed to meet with City staff and come to the hearing with a detailed plan for repairs, including cost estimates. Based on the surveys, reports, photographs, and other evidence provided to the Commission, the City recommends that the Commission find the building unsafe based on the standards set forth in Bryan Code of Ordinances. The City recommends that the Commission issue an order to the owner, lienholder or mortgagee to demolish/remove the structure within 30 days or the City will demolish.

Chairman Ponzio opened the public hearing.

Mr. Oscar Morales of 8530 Merlyn Drive, Houston Texas stated that he believes the house can be repaired, and presented 2 cost estimates and a plan of work. Mr. Morales stated he believes it will take him three months to bring the house up to code and that he also believes the estimates are high. He stated that he does not plan on using the contractor, but that he will use the plan.

Commissioner Drozd asked Mr. Morales, why has nothing been done. Mr. Morales stated the work has been delayed by the hearings.

Chairman Ponzio closed the public hearing.

Chairman Ponzio moved to accept the City's recommendation that this building be secured and demolished by the owner, lienholder, or mortgagee within 30 days or the City will demolish. Commissioner Drozd seconded the motion.

Chairman Ponzio asked if there were any discussion.

There was none

Motion passed unanimously.

b. Case # 1717 – 2009 Avenue C
Owner: Roy Sanchez
Jones-Brock, Lot 13, Block E

Mr. Zimmermann stated that the City's Chief Building Official has requested this Commission hearing to discuss this building, and all legal notices of the hearing were provided to owners, lien holders, and mortgagees. They were also notified that if they wanted to repair the building they needed to meet with City staff and come to the hearing with a detailed plan for repairs, including cost estimates. Based on the surveys, reports, photographs, and other evidence provided to the Commission, the City recommends that the Commission find the building unsafe based on the standards set forth in Bryan Code of Ordinances. The City recommends that the Commission issue an order to the owner, lienholder or mortgagee to demolish/remove the structure within 30 days or the City will demolish.

Chairman Ponzio opened the public hearing.

Mr. Roy Sanchez, 2011 Avenue B, Bryan, Texas stated that he is a licensed contractor to repair mobile homes, and he wants to bring it up to code.

Chairman Ponzio asked if he had a plan. Mr. Sanchez stated yes. Commissioner Massey asked about the A/C system. Mr. Sanchez stated he has the A/C system and just needed to get it hooked up. Commissioner Massey asked about the electrical system. Mr. Sanchez stated he has an electrician to repair the electrical system. Commissioner Drozd asked about a cost estimate. Mr. Sanchez stated he forgot it at home, but he is willing to put what ever it takes to bring up to code.

Chairman Ponzio closed the public hearing

Commissioner Massey moved to accept the City's recommendation that this building be secured and demolished by the owner, lienholder, or mortgagee within 30 days or the City will demolish. Commissioner Drozd seconded the motion.

Chairman Ponzio asked if there were any discussion.

There was none.

Motion passed unanimously.

f. Case # 1730 - 202 Apple Street
Owner: William H Green & Birdie Mae Green
Lot 2, Block 1, Ertle and Higgs

Mr. Zimmermann stated that the City's Chief Building Official has requested this Commission hearing to discuss this building, and all legal notices of the hearing were provided to owners, lien holders, and mortgagees. They were also notified that if they wanted to repair the building they needed to meet with City staff and come to the hearing with a detailed plan for repairs, including cost estimates. Based on the surveys, reports, photographs, and other evidence provided to the Commission, the City recommends that the Commission find the building unsafe based on the standards set forth in Bryan Code of Ordinances. The City recommends that the Commission issue an order to the owner, lienholder or mortgagee to demolish/remove the structure within 30 days or the City will demolish.

Chairman Ponzio opened the public hearing.

Mr. William H Green Jr, 329 Garrison Circle, Port Barrington, IL 60010 stated that he would like more time to get proposal since he is now residing in Houston and did not get the letter until a few days ago. Mr. Green also advised he would like to turn this home into an accessory structure for storage, but if the cost to get it repaired would be too high, he would tear it down.

Commissioner Buchly asked Mr Green what he would do to secure the front porch while he was getting estimates. Mr. Green stated that he would secure the porch. Responding to a question from Commissioner Buchly Mr. Green stated that he would secure the porch even if you had to tear down the house later. Commissioner Russum stated that the house looks like it is leaning and ready to come down. Mr. Zimmermann advised that zoning regulations prohibit having just an accessory structure on a property in a residential area without a main dwelling.

Commissioner Buchly moved to accept the City's recommendation that this building be secured and demolished by the owner, lienholder, or mortgagee within 30 days or the City will demolish. Commissioner Massey seconded the motion.

Chairman Ponzio asked if there were any discussion.

There was none.

Motion passed unanimously.

g. Case # 1737 – 306 Waco Street
Owner: Curtis W. Webb, Sr
Lot 24, Legion

Mr. Zimmermann stated that the City's Chief Building Official has requested this Commission hearing to discuss this building, and all legal notices of the hearing were provided to owners, lien holders, and mortgagees. They were also notified that if they wanted to repair the building they needed to meet with City staff and come to the hearing with a detailed plan for repairs, including cost estimates. Based on the surveys, reports, photographs, and other evidence provided to the Commission, the City recommends that the Commission find the building unsafe based on the standards set forth in Bryan Code of Ordinances. The City recommends that the Commission issue an order to the owner, lienholder or mortgagee to demolish/remove the structure within 30 days or the City will demolish.

Chairman Ponzio opened the public hearing.

Mr. Curtis W Webb Sr., 321 Frontier, Bryan, Texas, stated that he thinks the house can be repaired and that the only damages are to the back bedroom. Commissioner Massey asked when the house caught on fire. Mr. Webb stated he did not know when but that his son had called and told him someone had set house on fire. Mr. Fred Taylor, Deputy Fire Marshall, stated that the house had burned in January 2011 and that there is fire damage to the attic, front living room, back bedroom, and front bedroom.

Chairman Ponzio closed the public hearing

Commissioner Drozd moved to accept the City's recommendation that this building be secured and demolished by the owner, lienholder, or mortgagee within 30 days or the City will demolish. Commissioner Russum seconded the motion.

Chairman Ponzio asked if there were any discussion.

There was none

Motion passed unanimously.

Mr. Zimmermann and Mr. Koury advised that there was no one in the audience to address the Commission on the remaining agenda items:

- c. Case # 1726 – 2828 W SH 21 #45**
Owner: Sandra L Steels
A portion of 14.41 ac, Lot 1, Block 1, M&M Ph 1, Designated as lot #45
- d. Case # 1727 – 900 Bryant Street**
Owner: Martin & Laura Cisneros
Lot 1 & 2, Block 2, McGee-Buckhaultz
- e. Case # 1728 – 4102 Castle Avenue**
Owner: Josephine Whiting % Leon Douglas Sims, Jr.
Castle Heights, Lot pt of 1, Block 2
- h. Case # 1749 – 304 Legion Court**
Owner: Wanda J Harrison
Lot 80, Legion Addition
- i. Case # 1750 – 1503 Lincoln Street**
Owner: Melvin L. Cooper & Lillian Irene Gooden
Lot 16 & 17, Block 19, Castle Heights

Chairman Ponzio moved to accept the City's recommendations for agenda items 6 c., d., e., h., and i. that these buildings be secured and demolished by the owners, lienholders, or mortgagees within 30 days or the City will demolish. Commissioner Drozd seconded the motion.

Chairman Ponzio asked if there were any discussion.

There was none.

Motion passed unanimously.

7. APPROVAL OF REVISED GUIDELINES OF THE CITY OF BRYAN BUILDING AND STANDARDS COMMISSION.

Chairman Drozd moved to accept the revised guidelines of the City of Bryan Building and Standards Commission. Commissioner Massey seconded the motion.

Chairman Ponzio asked if there were any discussion.

There was none.

Motion passed unanimously

8. STAFF ANNOUNCEMENTS (This item includes introductions of new employees, meeting reminders, upcoming events, and staff recognition).

A. Proposed workshop meeting on Monday, July 18, 2011.

Mr. Zimmerman proposed July 11, 2011 as a workshop date and by consensus, Commissioners agreed.

B. Next regular meeting date is July 25, 2011.

9. FUTURE AGENDA ITEMS (A Commissioner may request that a subject for which notice has not been given be placed on an agenda for future meeting).

No future agenda items were requested.

10. ADJOURN.

Without objection Chairman Ponzio adjourned the meeting at 7:00pm.

These minutes were reviewed and approved by the City of Bryan Building and Standards Commission on the 25th day of **July, 2011.**

Jerry Ponzio, Chairperson
Building and Standards Commission
City of Bryan, Texas

Greg Cox, Chief Building Official and
Secretary to the Building and Standards
Commission